

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Corves K. Gilmore,

4 Petitioner

5 v.

6 Deputy Chief Haas,

7 Respondent

Case No.: 2:23-cv-01949-JAD-EJY

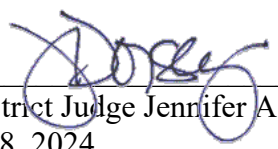
**Order Dismissing Case for Failure to
Submit Application to Proceed *In Forma*
Pauperis or Pay Filing Fee**

8
9 On January 16, 2024, the court ordered petitioner to either file a fully completed
10 application to proceed *in forma pauperis* (ifp) or pay the \$5.00 filing fee by February 16, 2024.
11 ECF No. 2. Unfortunately, this matter has not been properly commenced because petitioner has
12 not filed an application to proceed *in forma pauperis* or paid the filing fee.

13 For this reason, IT IS ORDERED that **this action is DISMISSED** without prejudice to
14 the petitioner's ability to file a **new** habeas petition in a **new** action with either the \$5.00 filing
15 fee or a completed application to proceed *in forma pauperis*.

16 IT IS FURTHER ORDERED that a certificate of appealability is denied because jurists
17 of reason would not find the court's dismissal of this improperly commenced action without
18 prejudice to be debatable or incorrect.

19 The Clerk of Court is directed to **ENTER JUDGMENT** accordingly and **CLOSE THIS**
20 **CASE.**

21 
22 U.S. District Judge Jennifer A. Dorsey
23 March 28, 2024